PTO/SB/21 (09-0 Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/810,963 Filing Date TRANSMITTAL 03/26/2004 First Named Inventor Thomas Rueckes et al. Art Unit 2818 **Examiner Name** 1 TBA (to be used for all correspondence after initial filing) **Attorney Docket Number** 112020.146US2 NAN-22 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request below): Request for Refund - Postcard **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Wilmer Cutler Pickering Hale and Dorr LLP Signature Printed name Peter M. Dichiara Date Reg. No. 01/03/2005 38,005

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1. PTO Form (4 pgs.)

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Rueckes, et al.

Application No.:

10/810,963

Examiner: Unknown

Filed:

March 26, 2004

Group Art Unit: 2818

For:

Non-Volatile RAM Cell and Array Using Nanotube Switch Position

for Information State

Atty. Docket No.:

112020.146 US2 (NAN-22)

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## INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants and their legal representatives hereby make of record on the attached Form PTO-1449 the following publications which are known to them and considered warranting disclosure under 37 C.F.R. §1.56 and 1.97-98.

Copies of the publications listed on the attached Form PTO-1449, with the exception of cited U.S. Patents and U.S. published applications, are submitted herewith. It is respectfully requested that the Examiner initial and return a copy of the subject Form PTO-1449 with the next Patent Office communication.

Application No. 10/810,963 Rueckes et al. Page 2

The submission of these publications does not constitute a representation by the Applicants that a search has been made or that no better art exists and does not constitute an admission that the listed publications are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed publications, should one or more of the publications be applied against the claims of the present application.

It is Applicants' belief that the Information Disclosure Statement is being filed prior to the mailing date of the first Office Action on the merits and, therefore, no fee is due. However, in the event a fee is due, please charge any fee deficiency or credit any overpayment to Deposit Account No. <u>08-0219</u>.

Respectfully submitted,

Dated: January 3, 2005

Peter M. Dichiara Registration No. 38,005

Attorney for Applicants

Wilmer Cutler Pickering Hale and Dorr LLP 60 State Street Boston, Massachusetts 02109

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Substitute for form 1449/PTO Complete if Known **Application Number** 10/810,963 MEORMATION DISCLOSURE Filing Date March 26, 2004 EMENT BY APPLICANT First Named Inventor Rueckes, Thomas et al. as many sheets as necessary) Art Unit 2818 JAN 0 5 2005 **Examiner Name TBA** of Attorney Docket Number 112020.146US2 NAN-22 4

PADE			S. PATENT DOCU		
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2(# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appea
		US-2004/0085805A1	05-06-2004	SEGAL et al.	Or Relevant Figures Appea
		US-2004/0159833A1	08-19-2003	RUECKES et al.	
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Signature	Considered

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				Application Number	10/810,963	
	INFORMATIO			Filing Date	March 26, 2004	
	STATEMENT	BY	APPLICANT	First Named Inventor	Rueckes, Thomas et al.	
	(Use as many s	sheets	as necessary)	Art Unit	2818	
				Examiner Name	TBA	
Sheet	2	of	4	Attorney Docket Number	112020.146US2 NAN-22	

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Examiner	Cite	Document Number	Publication Date	Name of Patentee or Applicant	Pages, Columns, Lines,				
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				Board of Trustees of					
		WO 01/44796 A1	06-21-2001	the Leland Stanford					
				Junior. University.					
		WO 01/03208 A1	01-11-2001	President and Fellows of Harvard College					

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
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Examiner	Date	
Signature	Considered	

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Examiner	Date	
Signature	Considered	

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INFORMATION DISCLOSURE				Application Number	10/810,963		
				Filing Date	March 26, 2004		
	STATEMENT	BY	APPLICANT	First Named Inventor	Rueckes, Thomas et al.		
	(Use as many s	heets	as necessary)	Art Unit	2818		
				Examiner Name	TBA		
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